### IN DEFENCE OF THE MORMONS.

EX-U. S. SENATOR MICONNELL OF IDAHO ON THE STAND.

He Denies That the Mormons Dominate Politics in Utah and Idaho, and Says They Are the Equals of the Gentlies as Moral and Peaceable People-Congressman French of Idaho Concurs.

WASHINGTON, Jan. 11.-The Senate Committee on Privileges and Elections met this morning and resumed consideration of the Smoot case. The protestants against Senator Smoot having closed their case, the defence took up the examination of its witnesses.

Former United States Senator William J. McConnell of Idaho was the first witness. He is 65 years of age, a resident of northern Idaho for twenty years and has served twice as Governor. He is a Republican and Presbyterian. His experience with the Mormon people has been long and varied.

"When I first went to Idaho the Gentiles were engaged mostly in the science of poker," remarked Gov. McConnell, "while the Mormons were hardworking and stayed at home I was surprised to find the Mormons moral and peaceable. They were the equals of the Gentiles in this respect and superior to them as home builders.

Mr. McConnell told why he had assisted in securing the repeal of the test oath in Idaho, which had been aimed directly at the Mormons. The reason why he had done so was twofold. One was that the test oath tended to oppress a frugal and home building people, and the other was that Idaho proposed to give women the ballot, and no self-respecting woman could take the test

The witness denied that Gov. Morrison of Idaho was denied a renomination last summer because of the opposition of the Mormon Church.

"We did not renominate him because we feared we could not reelect him," said Mr. McConnell. "The Mormon Church had nothing to do with it.'

This was intended to refute the testimony of Charles H. Jackson, chairman of the Democratic Central Committee of Idaho, who testified that the Mormon Church dominated the politics of Utah and dictated the nomination of Frank R. Gooding in place of

Q. (By Mr. Vancott of Smoot's counsel) Did the Mormon Church influence the elections in Idaho from 1898 to 1902? A. No. more than any other people. They did not

Q. Why did more Mormons work on the Republican side than on the Democratic? A. For the reason that Senator Dubois called them criminals.

Q. Have you any interest in this protest against Senator Smoot? A. My only interest is as a citizen of Idaho. In my opinion this testimony has been of great damage to Idaho, both morally and materially. I want the truth to come out.

Q. Is polygamy increasing or decreasing in Idaho? A. It is decreasing. Mr. McConnell was cross-examined by

R. W. Tayler regarding plural marriages. He admitted that he lived perhaps 500 miles from the Mormon stronghold.

Q. You are practically as far as from Washington to Omaha from the Mormons?

A. Yes, about that far.

Q. You say the Mormons are the best procedure of a 2.2 A. I did not say that.

Q. You say the Mormons are the best people of \(^1\), a. \(^2\) A. I did not say that.
Q. You said the Gentiles were a poker-playing lot. A. Of I referred to the Legislature of 1872. [Laughter.]
Q. The average Mormon is a better man than the average Mormon is a better man than the average Gentile, and a better legislator? A. Yes 87.

The witness admired it at while the Constitution of Idaho prohibited the holding of office by \(^1\) collegamist, he had appointed William Budge, a prominent polygamist, a regent of the university.

Mr. McConnell testified that it was the understanding when Idaho was admitted as a

derstanding when Idaho was admitted as a State that the Mormons then living in polygamous cohabitation should be per-mitted to "care for their families" and re-

be permitted to have more children? A. It was my understanding.

Q. That's the reason you are here, is it, because you believe it is right that these polygamists should continue to live with their plural wives and have children by them? A. The question of children was not discussed. But it was understood, of course, that if these relations should continue there would be more children.

Q. Did you ever hear until recently that William Budge was a polygamist? A. No, sir. I didn't know when I appointed him regent that he was a polygamist.

Q. Then do you presume to say that you

regent that he was a polygamist.

Q. Then do you presume to say that you can pass upon the condition of the southern counties as to polygamy when you only recently heard that William Budge was the most notorious polygamist in all Idaho? A. I most assuredly know, because

Idabo? A. I most assuredly know, because in the last campaign I made it my business to look thoroughly into this thing. Representative Burton L. French of Idaho was called. He has served one term and has been reelected to the Fiftyninth Congress. He lives at Moscow and is non-Mormon.

Mr. French told of his familiarity with political conditions in Idaho. The Mormon counties, he said, are Fremont, Oneida, Bingham, Bear Lake, Cache, and Bannock. He described as grossly incorrect the stateent of anti-Smoot witnesses that Gov Morrison was rejected for renomination through the influence of the Mormon Church. He also denied the statement of Democratic thirman Jackson that Latah county was swing against Gov. Morrison by Representative French, at the behest of the Morrison Church to carry out a bargain. Mr. mon Church, to carry out a bargain. Mr mon Church, to carry out a bargain. Mr. French dissented from the testimony of witnesses on the other side that the Mormon Church was a political factor and that anything it wanted it could get. The charge first came up in last year's campaign, he said, and was generally understood to have been made by Democratic candidates for the said and office as a political devise. The object of the Democratic attack, said Mr. French, was to change public sentiment in Idaho so as to affect the Senatorial campaign

so as to affect the Senatorial campaign of 1906, in which it is expected that Senator Dubois will be the leading candidate.

"Is there any foundation for the statement that Mormons of Idaho vote as a unit at the dictation of the Church?" asked Mr. Worthington, counsel for Smoot.

"If don't think so," replied Mr. French. \*The Republican votes in gentile and Mor-mon counties are about the same. That is when the Republicans gain in gentile cour ties they gain at about the same ratio in dormon counties. Mormons in the Legis-

Mormon counties. Mormons in the Legis lature divide on certain questions that recall, just as others do, and so far as I know, there is no dictation by Church lead-ers in political affairs."

ers in political affairs."

Mr. French said he did not believe there was any increase of polygamy in Utah. No plural marriages had occurred since the manifesto of 1890, in his opinion. The unger Mormons were strongly against

polygamy.
Q. (By Mr. Burrows.) In your campaigns you take no thought of the Mormon Church as an organization in politics? You have not conferred with Bishops?

Only as individuals.
Q. Did the Mormons in the Republican State convention vote as a body? A. Yes, sir; but not as Mormons.
Q. What would be the effect upon your

political fortunes if you should make com-plaint against a person for polygamy? A. believe if it were an old case the Mormon ould turn against me. But if it were a new case I believe the Mormons would upport me. The Mormons are opposed the marriages. new marriages.

one w marriages.

Q. If you should prosecute any person or polygamous consbitation, regardless f when the marriage occurred, would it of be resented? A. Yes, it probably ). And would seriously affect your politi-fortunes? A. Well, it might. The committee adjourned until to-morTHE ARBITRATION TREATIES. The President Will Withdraw Them From

the Senate if They Are to Be Amended Washington, Jan. 11 - President Roosevelt will withdraw from the Senate all the arbitration treaties now before that body for ratification unless the Senate shows self disposed to ratify the conventions cirtually as they were drawn. He believes that these treaties are wisely constructed, and he holds that they are kindred matters with a large naval appropriation bill. Both, he declares, operate as instruments for peace. The President yesterday addressed the following letter to Senator Cullom, chairman of the Senate Committee

on Foreign Relations MY DEAR SENATOR CULLOM: I notice in connection with the general arbitration treaties now before the Senate that suggesons have been made to the effect that under them it might be possible to consider as natters for arbitration claims against certain States of the Union in reference to certain States's debts. I write to say what, of course, you personally know, that under no conceivable circumstances could any such con-struction of the treaty be for a moment entertained by any President.

The holders of State debts take them with full

knowledge of the constitutional limitations upon their recovery through any action of the national government, and must rely solely on State credit. Such a claim against a State could under no conditions be sub-mitted by the general government as a mat ter for arbitration, any more than such a claim thus submitted for arbitration.

objection to the proposed amendment on the subject is that it is a mere matter of surplusage, and that it is very undesirable, when the form of these treaties has already been agreed to by the several Powers con needlessly to add certain definitions which affect our own internal polity only; which deal with a matter of the relation of the Federal Government to the states which it is to the arbitration of any outside tribunal and which it is certainly absurd and probably mischievous to treat as possible to be raised by the President or by any foreign Power. No one would even think of such a matter

as being one for arbitration or for any diplomatic negotiation whatever. Moreover, these treaties run only for a term of five years until the end of that period they will certainly be interpreted in accordance with the vie above expressed. Very truly yours, THEODORE ROOSEVELT.

BULKELEY MEN CONFIDENT. After a Conference They Say Their Man

Will Be Named for Senator. HARTFORD, Conn., Jan. 11 .- Many of the legislators who are to participate in the caucus to-morrow afternoon for United States Senator to succeed Gen. Hawley arrived in this city to-night. The men who favor ex-Gov. Bulkeley for Senator had a secret conference, after which the leaders said that their candidate would be nominated on the first ballot and would have a good many votes to spare.

Those who are backing Samuel Fessenden Stamford, after comparing notes tonight in secret session, declared that it would be a very close vote in the caucus and that Bulkeley did not have the strength and that Bulkeley did not have the strength claimed. It was stated that the indepen-dent vote, which has been crystallized by the Rev. Dr. Newman Smyth of New Haven, in opposition to Bulkeley and Fes-senden, holds the balance of power and would go to Congressman E. J. Hill of the Fourth district.

Fourth district.

Bulkeley claims 150 of the 225 votes on joint ballot. Fessenden men say that he will have 90 votes and there will not be ten votes difference between him and Bulkeley, the remainder respectively. ey, the remainder representing the inde-

UTAH'S NEW SENATOR!

Friends of Mr. Southerland Deny That He Is a Son-in-Law of John D. Lee.

WASHINGTON, Jan. 11.-Friends of former Representative George Southerland, who has been chosen to succeed Kearns as Senator from Utah, deny the published statement that he is a son-in-law of John D. Lee, the Mormon leader in the Mountain Q. Was it understood that they should Meadow massacre. Southerland is permitted to have more children? A. only'a Gentile, but his wife is also, and only'a Gentile, but his wife is also, and she only a Gentile, but his wife is also, and she is in no way related to the Lee family, who are Mormons. Mrs. Southerland was formerly Miss Rosamond Lee, daughter of John Percival Lee, who is a member of the noted Lee family of Virginia.

Senator Scott Unanimously Renominated.

WHEBLING, W. Va., Jan. 11.—The Republicans of the Legislature held a caucus last night and unanimously selected Senator Nathan Bay Scott as the caucus nominee to succeed himself, thus making good the statement of the Senator a few days ago when he said that for the first days ago when he said that for the first time in his life he-was going to get some-thing without making a fight for it.

Carter Leads for Montana Senatorship, HELENA, Mon., Jan., 11 .- To-day's legislative joint ballot for United States Senator resulted in no choice, the leading candidate being thirteen short of election. The ballot was. Carter (Rep.), 37; Mantle (Rep.), 13; Conrad (Dem.), 17; Toole (Dem.), Fran (Dem.), 8; scattering, 8.

Washington, Jan. 11.-The gunboat Hist has arrived at Newport, the destroyers Whipple, Stewart, Worden and MacDon ough at Charleston, the destroyer Paul Jones at Anacortes, the gunboat Castine at San Juan, the collier Leonidas at Puerto Plata, and the gunboat El Cano at Shiakwan. The cruiser Brook vn has sailed from Santa Lucia for Culebra, the tug Teoumseh from Norfolk for Washington, the monitor Arkansas from Lambert Point for Indian Head, and the cruiser Cincinnati from

Nominated by the President.

WASHINGTON, Jan. 11.-The President sent the following nominations to the Senate

Chefoo for Chemulpo.

to-day To be United States Marshal, District of Alaska, Thomas Cader Powell of Oregon, for the second division.

To be an Indian Inspector, J. George Wright of Illinois. Postmasters—Delaware, Edward F. Pret-tyman, Scaford. New Jersey, James M. Bogert, Westwood. New York, John M. Gilmour, Morristowa; J. Johnson Ray, Nor-Pennsylvania, John Francies, Al-

Nebraska Approves Roosevelt's Stand. LINCOLN, Neb., Jan. 11.-The Nebraska House to-day adopted unanimously a resolution instructing Nebraska's Senators and Representatives to stand by the President in his contest with the railroads to secure an extension of the powers of the Interstate Commerce Commission. Congressman Burkett, who has no apposition for election as United States Senator to succeed Mr. District, was invited to formally express himself to the House as to where he stands on the same question.

Rear Admiral Evans Transferred to the General Beard.

WASHINGTON, Jan. 11.-Rear Admiral Robley D. Evans has been transferred from duty with the Lighthouse Board to the General Board of the Navy Department. The change is made preparatory to Admiral Evans taking command of the North Atlantic fleet, when Rear Admiral Barker retires on March 31. Rear Admiral Lamberton will assume Admiral Evan's duties on the Lighthouse Board. on the Lighthouse Board.

HEADACHES FROM COLDS Laxative Bromo Quinine, the world wide Cold and Grip remedy, removes the cause. Call for the full name and look for signature of E. W. Grove. 25c. FIGHT OYER THE ARMY BILL.

GEN. MILES THE STORM CENTRE OF A LIVELY CONTROVERSY.

Amendment Passed That Will Deprive Retired Officers Above the Rank of Major of Active Pay When Assigned to Duty With Militia of Any State.

WASHINGTON, Jan. 11.-Lieut.-Gen. Miles was the storm centre about which raged a lively controversy in the House of Representatives to-day.

The Army Appropriation bill was under consideration, and Mr. Hull (Rep., Iowa), chairman of the Committee on Military Affairs, moved an amendment providing that from officers of a higher rank than Major on the retired list who are assigned for duty with the organized militia of any State or Territory there shall be withheld the difference between active and retired pay to which they are now entitled. He explained that the provision for increased pay was made a year ago, and whereas previous to that time no general officer had applied for assignment to such duty, since then nine Brigadier Generals had been so assigned. He said they had sought the assignments merely for the increased

pay and not from patriotic motives Democrats generally and a few Republicans from Massachusetts opposed the amendment, for the reason that it would affect Lieut.-Gen. Miles, who had within a few days been appointed chief of staff by Gov. Douglas.

Mr. Cockran (Dem., N. Y.) inquired if the House could afford to assume the posi-tion of antagonism to merit; of penalizing those whom the country has been taught to look upon as its military heroes with something akin to reverence, and of depriving States of the right to secure the services of the men who, by their abilities and services, have risen to the highest

Mr. Hull repeated that up to the time the provision for full pay was made no general officer had applied for these assignments; within the year nine Brigadiers had sought and secured them, as he believed, for the leason that they would secure additional

pay, not from patriotic motives.
Air. McCall (Rep., Mass.) said he hoped
Mr. Hull did not include Gen. Miles within
his strictures, and Mr. Hull disclaimed

any such purpose.

Mr. Stevens (Rep., Minn.), advocating the amendment, said that the present law had led to unseemly scrambles, by general officers for lassignment with the State militia. He favored the amendment because he wanted the militia to have the services of officers best adapted to their needs, and these were not officers of high grade. Mr. Williams (Dem., Miss.) said he would make no charges, but he feared that the amendment was directed at Gen. Miles because he was persona non grata in Republican Administration circles. We have read," he said, "that Gen Miles was snubbed in public, for what reason I know not; but [pleadingly] do not snub him in the uniform of the Massachusetts militia before he has a chance to display it.

Gen. Grosvenor, referring to the political feature of the discussion, asked Mr. Williams upon what authority he claimed Gen. Miles as a Democrat. "The public Gen. Miles as a Democrat. "The public prints reported that the General sought the Presidential nomination on the Pro-hibition ticket, and certainly the antipodes met in that combination." (Laughter.) Closing the discussion, Mr.Thayer (Denn., Mass.) warned the House that the people of Massachusetts would look upon the amendment as an insult to Gen. Miles; "and if you want to make that state solidly Democratic, vote for it."

Democratic, vote for it."

The Hull amendment was agreed to, 108 to 71. During the discussion Mr. Denny (Dem., Md.) protested against increased expenses for either the army or the navy at the expense of the improvement of rivers and harbors demanded for the transaction of the commerce at the world.

Mr. Little (Dem., Ark.) moved to reduce

the strength of the army to 3,000 officers and men. Last year, he said, there were more than 5,000 desertions because the average American was a fighting soldier. Many of these, Mr. Little said, are now in peni-tentiaries. In case of real war they would be found rather behind the guns than behind the bars.

The amendment was rejected, 50 to 70.

Mr. Prince (Rep., Ill.) presented the facts in connection with the retired list of the army, refraining from any comment on the subject, contenting himself, as he said, with stating the facts-let Congress and the country be the judges. As com-pared with the number of officers on the active list the showing is as follows:

Officers. leutenant-Generals...... dajor Generals.... Colonels... Lieutenant Colonels... Without further change, and baving

disposed of 15 of the 39 pages of the bill the committee rose and the House adjourned until to-morrow.

THE BOOK OF THE PRESIDENTS. Sult in Equity Filed Looking to the Appointment of a Receiver.

Washington, Jan. 11 .- "The Book of the Presidents and Representative Amercans," with which Gen. Grosvenor of Ohio was connected, was concerned in a suit in equity filed in the Supreme Court of the District of Columbia to-day by Robert E. Dean of this city. He names as defendant of the control of the city. He names as defendant of the city of dants the Trow Printing and Bookbinding

Company of New York, Mr. and Mrs. Abram at th T. Elder, Lucy S. Bahnsen and Irene L. Faust and the National Biographical Society of this city, and asks for the appoint-

ment of a receiver for the latter concern.

Mr. Dean alleges that on Feb. 1 last Elder, being interested in the publication, represented that 1,000 books then at the Trow building would be sold unless an indebtedness of \$2,500 was paid. An agreement was made whereby Gen. Grosvenor furnished the necessay funds to be used as a trust and repaid with interest by Elder and the society. Elder, he charges, has and the society. Elder, he charges not kept the agreement, and Dean there-fore asks the Court to order an accounting by Elder, Bahnsen and Faust of all subby Eider, bannen and raust of all sub-scriptions to the book; that Elder be re-quired to deliver to Gen. Grosvenor cer-tain securities mentioned in the agree-ment; that the copyright of the book be transferred to the society; that the Trow company be restrained from disposing of the 1,000 volumes and that a receiver be pointed to take charge of the society's

BENJAMIN GRIFFEN TO WED. He Is Soon to Marry Mrs. Charles A. Smylle,

Daughter of William H. Ely. Benjamin Griffen, the glass manufacturer, is soon to marry Mrs. Charles A. Smylie, widow of Major Charles A. Smylie. who was accidentally shot and killed by Judge Storrs of Orange, N.J., while hunting in the Adirondacks two years ago. The wedding will take place at the home of the bride, at 140 West Fifty-eighth street, and only relatives of the bride and brideand only relatives of the bride and bride-groom will be present. Mrs. Smylie was formerly Miss Julia Ely, daughter of William H. Ely of 47 West Fifty-seventh street, and niece of ex-Mayor Smith Ely. She is quite wealthy and has two children, Mar-jorie and Charles Albert Smylie. Mr. Griffen lives at 41 West Fifty-eighth street and is a manufactor of several clubs.

Senatorship Nominees in Indiana

Indianapolis, Jan. 11.-The Democratic minority in the Legislature was forced to draw the line between the gold and the free silver elements in their caucus for the two Senatorships to-night and the free silver wing won, but by a narrow margin. Kern and Shively won by narrow margins. Hemenway and Beveridge were named LEGISLATIVE COMMITTEES.

Senator White and Assemblyman Burnett tre Chairmen of Cities Committees ALBANY, Jan. 11.- The standing committees in both branches of the Legislature were named to-night. The chairmen of the Senate committees follow:

Senate committees follow:

Finance, Mr. Malby; Judiciary, Mr. Brackett;
Affairs of Cities, Mr. White; Railroads, Mr.
Wilcox; Codes, Mr. Eisberg; Taxation and
Retrenchment, Mr. Lewis, Commerce; and
Navigation, Mr. Hill; Canals, Mr. Davis,
Insurance, Mr. Ambier; Miscellaneous Corporations, Mr. Goodsell, Banks, Mr. Stevens;
Penal Institution Mr. Barnes; Forest, Fish
and Game, Mr. Yilds; Internal, Affairs, Mr.
Armstrong; Public Education, Mr. Warnick;
Public Health, Mr. Tully; Military Affairs,
Mr. Gates: Revision, Mr. Prime; Engrossed
Bills, Mr. Copgeshall; Villages, Mr. Carpenter;
Agriculture, Mr. Brown; Privileges and Elections, Mr. Cobb; Printing, Mr. McEwan;
Indian Affairs, Mr. Fancher; Trades and Manufactures, Mr. L'Hommedieu; Rules, Messrs,
Raines, Malby and Graly.

The more important of the Assembly

The more important of the Assembly ommittees, with the chairmen of the

Ways and Means-Messrs. Rogers of Broome, ways and Means—Messrs. Rogers of Broome, Burnett of Ontario, Patton of Erie, Platt of Steuben, Plank of St. Lawrence, Fish of Madi-son, Cowan of Delaware, Monroe of Tomp-kins, Philips of Alleghany, Wainwright of Westchester, Agnew of New York, Palmer of Schoharie, Fuller of Kings. Judiciary—Mr. Fish of Madison. General Laws—Mr. Merritt of St. Law-rence.

Revision—Mr. Hammond of Onondaga. Codes—Mr. Phillips of Alleghany. Taxasion and Retrenchment—Mr. Wade of

Taxation and Reirenchment—Mr. Wade of Chautau qua.
Canals—Messrs. Patton of Erie, Coutant of Ulster, Merritt of St. Lawrence, Scovill of Columbia, Moreland of Chemung, Callahan of Monroe, Etzer of New York, Waddell of Warren, Hooper of Essex, Francisco of Kings, Donovan of Rensselaer, Byrne of Kings, Nugent of New York.
Affairs of Cities—Messrs. Burnett of Ontario, Hammond of Onondaga, Agnew of New York, Cox of Erie, Grattan of Albany, Cotton of Kings, Dowling of Kings, Ogden of Monroe, Prentice of New York, Eighy of Westchester, McKeown of Kings, Hornidge of New York, LaFetra of New York.
Railroads—Mr. Bedell of Orange.
Commerce and Navigation—Mr. Cadin of Onondaga.
Insurance—Mr. Lewis of Oswego.

Onondaga.

Insurance—Mr. Lewis of Oswego.
Banks—Mr. J. T. Smith of Dutchess.
Electricity, Gas and Water Supply—Mr.
Apgar of Westchester.
Internal Affairs—Mr. Hooker of Genesce.
Labor and Industries—Mr. Yale of Putnam.
Excise—Mr. Plank of St. Lawrence.
Affairs of Villages—Mr. Steele of Herkimer.
Fisherles and Game—Mr. Reeve of Suffok.
Public Printing—Mr. Evans of Oneida.
Public Health—Mr. Sheldon of Cattaraugus

Public Education—Mr. Wainwright of West-Public Lands and Forestry-Mr. Hanford

Public Lands and Forestry—Mr. Hanford f Tioga.
Public Institutions—Mr. Santee of Steuben.
Military Affairs—Mr. Cotton of Kings.
Soldiers' Home—Mr. Platt of Steuben.
Claims—Mr. Cox of Erie.
Federal Relations—Mr. Cowan of Delaware.
Charitable and Religious Societies—Mr.
Jead of Albany.
State Prisons—Mr. Moreland of Chemung.
Privileges and Elections—Mr. Leggett of
Stagara. agara. Frades and Manufactures--Mr. F. E. Allen

Indian Affairs—Mr. C. R. Matthews of Franklin. Rules—Messrs. Speaker of Chautauqua, logers of Broome, Bedell of Orange, Monroe f Tompkins, Palmer of Schoharie, McKeown f Kings. Printed and Engrossed Bills—Mr. Brooks of Unfinished Business-Mr. Wemple of

THE ONLY WILLIAM" BURIED. Friends the Artist Had Made Provide a Gentleman's Funeral for Him.

William Schmidt, an artist, was buried esterday afternoon in Pine Lawn Cemetery. . I. The man who made of drink mixing mething more than a rude juggling with liquids, who was a poet, a man of heart. whose courtesy and genius earned for him the title of "The Only William," was laid o rest quietly, unostentatiously,

As he would have desired, no doubt, the funeral was without benefit of clergy, but twenty of the multitude whose hearts he had warmed and to whom he had trans-mitted something of his own optimism and unfailing cheerfulness went to the little undertaking shop at Bergen and Hoyt streets, Brooklyn, to pay a last tribute of

respect.
When "The Only William" died in Belle-When "The Only William" died in Bellevie Hospital Sunday afternoon, none of his relatives came forward to claim the body. He had only two in this country, it was said. His people live in Hamburg, Germany, from which city William came years ago to win fame that will not end at his grave. But as soon as the newspapers Monday morning told the story of William's death the friends that William had made years ago to win fame that will not end at his grave. But as soon as the newspapers Monday morning told the story of William's death the friends that William had made wrote and telephoned offers of assistance. Others came to the hospital in person. Others came to the hospital in person.

One of these had his body taken to the undertaking establishment of Frank E. White at Bergen and Hoyt streets. Supt. Smith of the Hamilton Bank Note Company, a resident of Bath Beach; Robert Richardson of Brooklyn, Frederick F. Sturm and Major McKeon of 277 Broadway, Manhattan, long time friends of William Schmidt, assisted other friends in paying the expenses of the funeral. James Conley of Morris Park, gays a hurying plot in Pite.

Morris Park gave a burying plot in Pine Morris Park gave a burying plot in Pihe Lawn Cemetery.

The services, plain and simple, were held at 1:30 P. M. Two score men passed into the rear room of the undertaker's place and looked at the dead. It was done silently. Then the coffin of oak with silver handles was carried to the hearse. The casket was heaped with flowers. Roses, carnations and lilies hid its blackness.

The body was taken to the Long Island Railroad station and at 2:50 P. M. the train left for Pine Lawn.

assistants had heaped the grave over the mourners turned away.

"The Only William's" epitaph was spoken at the grave's side by his friends:

"A man in my profession should never forget that he is a gentleman. However well mixed a drink is, much of the flavor will be lost unless politeness is added. A true artist should infuse courtesy and quality into all his liquid pictures." ity into all his liquid pictures.

FORSAKES SCHOOL TO WED. Miss Anna Tompkins Married Unexpectedly to a Nephew of Major Ebstein.

Robert R. Johnston, a nephew of Major Frederick H. E. Ebstein, former Deputy Police Commissioner, and Miss Anna Tompkins of Flatbush astonished their friends yesterday by announcing that they had been married Thursday last, at a time when the parents of the girl thought she was on her way back to boarding school in Boston after spending the Christmas lidays at home.

holidays at home.

The young couple's families were surprised, but the news was not unwelcome. They were engaged to be married, but it was expected that the ceremony would not take place until the girl had completed her studies and the young man had cetablished himself in business. In speaking lished himself in business. In speaking of the marriage last night Major Ebstein

"I am pleased. The young man has a fine wife. They hurried matters a little, but they are all right. The family is satis-fied."

LOW BIDDERS, TAMMANY MEN. Frawley Likely to Get Contract for Manhattan Bridge Anchorages. The three lowest bids for the building

of the anchorages of the Manhattan Bridge are firms allied with Tammany interests. The award will probably go to the Williams Engineering Company, the lowest bidder. This company, which is headed by Senator James J. Frawley, the Tammany leader of the Thirty-second district, bid \$1,237,000 for the Manhattan anchorage and \$1,197,000 for the Brooklyn anchorage. The two next bids were from J. J. Hopper, a brother Isaac A. Hopper. Tammany leader of a Thirty-first district, whose bids were: anhattan, \$1,396,140, and Brooklyn, \$1,-337,848, while Naughton & Co., to which Tammany Leader Daniel F. McMahou of the Seventeenth district belongs, offered to do the work of constructing the Manhattan anchorage for \$1,296,000 and that in Brooklyn for \$1,282,000.

# THE LEGISLATURE IN SESSION.

CHAS. H. MURRAY'S NOMINATED FOR THE COURT OF CLAIMS.

Evidence That Odell Intends to Aid Hearst in His War on the Gas Companies-Bills te Compel This City to Go to

Ramapo for Addittonal Wate Supply. ALBANY, Jan. 11 .- Both branches of the State Legislature met to-night and completed their organization.

When the Governor's appointment of Charles H. Murray of New York city as a Judge of the Court of Claims was received in the Senate to-night for confirmation, the Lieutenant-Governor started to refer the nomination to the Committee on Finance. Senator Brackett objected and wanted the nomination sent to his Committee on the Judiciary. This course was followed. That Chairman Odell intends to aid Wil-

liam R. Hearst in his bid for notoriety in regard to the New York city gas situation was shown to-night in the Assembly. Last week Senator Page of New York city introduced two municipal lighting plant bills and an investigating resolution, which were sent to him by Mr. Hearst. To-night in the Assembly a confidential secretary of Mr. Odell was seen to enter the Assembly Chamber. He went to the seat occupied by Assemblyman Gustav Hartman (Rep., N.Y.) and had a whispered consultation with him. As soon as he had finished, Mr. Hartman made an effort to have the Hearst-Page investigating resolution introduced. Unanus consent is required for such a course in the Assembly on every night but Monday. Majority Leader Rogers objected to the resolution being received, and then Mr Odell's confidential man rushed to him and spoke to him. Mr. Hartman showed the resolution to Mr. Rogers and also to Minor ity Leader Palmer, and the latter refused to give his consent to its being received. It will have to go over until next Monday night. In the Senate to-night the Page resolution was referred to the committee on finance.

Mr. Doberard of the Merchants' Associaion of New York city was here to-day, and had intended to have introduced to-night in the Senate and the Assembly a resolution calling for the appointment of a joint legis lative committee to investigate the New York city lighting question, including the management of the electric conduits and hold the resolution up until next week, and it was not introduced.

Senator Fitzgerald, who represents "Big Tim" Sullivan's district, introduced a 70 cent gas bill for New York city. Assemblyman Apgar (Rep., Westchse-

Assemblyman Apgar (Rep., Westchseter) introduced two bills whose object is to prevent New York city from going into Westchester or Putnam counties for a water supply. One is similar to the Smith bill of last year, which drove the city out of Dutchess county. It prohibits New bill of last year, which drove the city out of Dutchess county. It prohibits New York city from acquiring any stream in Westchester or Putnam counties that are used for manufacturing purposes. The second bill is more radical. It repeals the Webster law of 1802. It is under this law that the city has been able in a measure that the city has been able in a measure to secure relief, as it permits the city to acquire by condemnation proceedings watersheds in adjoining counties. Should

the Apgar bills go through it will compel New York city to go to the Ramapo company to get its water supply.

Assemblyman Prentice (Rep., N. Y.) introduced the Goddard society bill, giving a society that furnishes evidence upon which a conviction is secreted the fices in all which a conviction is secored the fines in all policy or gambling case. This is the bill that was fought so stronuously last year, but it passed the Assemby and was killed in the Senate on the last day.

Senator Page introduced a bill favored y the City Club and other organizations New York city, which authorizes Mayor McClellan to appoint and remove a city railroad commission of three members at a salary of \$5,000 each. The bill was

elevated and underground railroads, and will have a right to go to the courts to have their regulations and orders enforced. The salary of the Commissioners is to be \$5,000 and the Mayor is to appoint them for a

term of two years.

Trading stamp companies are to be attacked again this year. Assemblyman Gates (Rep., Oneida) introduced a bill taxing them 25 per cent. of their gross receipts. Mr Gates hasn't any idea what around this will bring into the State tweeter. amount this will bring into the State treas ury, but he has an idea it will help out con-siderably in raising some of the \$4,000,000 needed by Gov. Higgins to do away with a direct tax levy.

Senator Brackett introduced a bill pro-

hibiting railroad companies from issuing passes, except to employees of the road, the State Railroad Commissioners and their employees and the men who travel in care of live stock in transit.

Senator Flsberg introduced the bill authorizing the New York County Court House Commission to secure a site for the

lding other than south of Franklin A hill of Senator Cooper's permits the removal of the Kings County Penitentiary and provides that the moneys secured in selling that property shall be used in co structing another penitentiary on one of the islands belonging to the city.

Senator Page has a bill which he says is favored by every Judge in New York city. It provides that if a man's name is drawn as a trial juror the Judge of the court may excuse him for three months, providing he premises to serve later when his business will not interfere. If his name has not been drawn the Commissioner of Jurors may excuse him for the same period under a like condition.

To make certain that the Manhattan Elevated Railroad Company shall not lay its tracks in Bronx Park, Assemblyman William J. Ellis, representing the Thirty-fourth New York city district, introduced a bill prohibiting the laying of any railroad tracks in a public park in New York city without the consent of the borough authorities and the Board of Aldermen and

Assemblyman Wade of Chautaugu Assemblyman Wade of Chautauqua county has introduced a bill which seeks to tax all corporations and persons taking water from Niagara River for power purposes other than steam. The bill fixes a price of \$1.50 for any amount of water consumed up to 20,000 horse power, \$1 additional up to 30,000, 75 cents additional up to 40,000, and 50 cents additional up to 50,000, so that if the latter amount of power is generated it will amount to a tax of \$3.75. is generated it will amount to a tax of \$3.75. The money goes to the State, and the Comptroller is to see that it is paid. The State now receives nothing for the valuable grants it has given to corporations to get power from Niagara River.

Assemblyman Pendry has introduced

the bill of long standing compelling street railroads in Manhattan and Brooklyn boroughs to vestibule their cars during the winter months.

To safeguard the lives of excursionists on barges Assemblyman Prentice (Rep. N. Y) introduced a bill compelling the carrying of life preservers or life rafts, the same as steamboats are compelled to have. At present the barges are exempt from a such provision of the provisio the winter months.

from any such provision. It has been argued that these barges cannot sink, but Mr. Prentice says they can catch fire in midstream or ocean just as the Slocum Col. Stevens Indersed for Senator. At an informal session of the Hudson ounty, N. J., Grand Jury on Wednesday night a resolution was adopted indorsing the candidacy of Col. Edwin A. Stevens, foreman of the jury, for United States Senator. Col. Stevens's name will be presented by the Democratic minority of the New Jersey Legislature.

# California

If you have spent the winter there you will want to go again. If you have not been there you have a treat in store. In either case you will be interested in the excellent service of The Over-Limited via the

#### Chicago, Milwaukee & St. Paul Railway

in connection with the Union Pacific Railroad. Less than three days Chicago to California via this line.

Tickets and Information,

381 Broadway, New York



## THE BARGE CANAL CONTRACTS

FRANCHOT TO ASK OPINION OF THE ATTORNEY-GENERA L.

Says His Action Will Depend on the Nature of the Opinion-Senator Brackett Wants to Know If the State Can Go On With the Work Without Federal Consent

ALBANY, Jan. 11 .- State Superintendent Public Works Franchot returned to Albany to-day. He said he would write a letter to-morrow to Attorney-General subways, but word came from Mr. Odell to Mayer asking for an opinion on the legal procedure had in connection with the ad vertising for bids for work on the canal and other matters connected with the proposed contracts to date, and that his future action would depend on the nature of the opinion he received from the Attorney-General. He had nothing to do in his position with the question of the constitutionality of the law

Attorney-General Mayer to-night repeated his statement that to date he had received no communication whatever bear ing on the barge canal controversy of the question of the validity of the law. He believed there "ill be no tarpayer's action questioning the constitutionality of the law, as such an action would not stand in the courts. He did not think this was the form of application likely to be made to his office by those moving in this matter.

The members of the barge canal engineers advisory board called on Gov. Higgins to pay their respects to day, when the question of the validity of the barge canal law was commented upon informally. Gov. Higgins said the meeting was not a

conference in any sense.

In the Senate to-night Senator Edgar
T. Brackett of Saratoga introduced a resolution as follows: Resolved. That the Attorney-General be and hereby is requested to send to the Senate at his earliest convenience his opinion as to whether the canals of the State, or any part of them, are navigable waters, and for that reason within the control of the Livited States Government and whether the

Senator Brackett, when he introduced the resolution, asked that it be passed at once, but Senator Elsberg objected and it

STATE WATER COMMISSION.

It Has All the Powers of the Former Water Storage Boards. ALBANY, Jan. 11.-The State River Improvement Commission, created under a

law passed by the last Legislature, organized here to-day by the election of Attorney-General Mayer as president. The commission comprises, besides the Attorney-General, State Engineer and Surveyor Van Alstyne, State Superintendent of Public Works Franchot, State Forest, Fish and Game Commissioner Middleton and Wallace C. Johnson of Niagara Falls, the latter being a civil engineer appointed to serve on the commission.

The act creating the commission gave to it the powers of the former Water Storage Commission and also authority to make regulation against the pollution of waterds of rivers, streams and water bodies furnishing water supplies to cities and vil-lages and authority to regulate the flow of such streams. The commission can nego-tiate for the purchase of private water rights, but is to act only on the initiative of cities, villages, counties or towns or

private land owners. The commission to-day decided to meet regularly on the fourth Thursday of each month in the office of the Attorney-General, and petitions seeking action on its part must be addressed to the Attorney-General as president of the commission.

A "Tribune" Editor Appointed State Civil

Service Commissioner. ALBANY, Jan 11 .- Gov. Higgins sent to the Senate to-night the appointment of Roscoe Conkling Ensign Brown of New York as State Civil Service Commissioner in the place made vacant by the resignation of Cuthbert W. Pound, who has become of Cuthbert W. Pound, who has become counsel to the Governor. The office pays a satary of \$3,000 a year and has an allowance for travelling expenses of \$600 a year. Mr. Brown is one of the editors of the New York Tribune and is a son-in-law of exsentor Hiscock of Syracuse.

The Governor also appointed Mrs. Alta P. Crouse of Syracuse as a member of the board of managers of the Syracuse institution for feeble minded children.

McCausland to He Judge Parker's Secretary ALBANY, Jan. 11 .- Arthur McCausland, clerk to Chief Judge Cullen of the Court of Appeals, has resigned that office and will resume his place as secretary to former Chief Judge Alton B. Parker. Mr. McCausland acted for Judge Parker during his Presidential campaign.

tion for feeble minded children

# BEST& 6

Skirts and Nightgowns For Girls and Misses.

Exceptional Values. Cambric Skirts,

4 to 16 yrs., 48c., 69c., 85c., 98c. and up.

Cambric and Muslin Nightgowns, 2 to 16 yrs.,

48c., 60c., 65c., 70c.,

75c. & 85c.

60-62 West 23d St.

ART SALES AND EXHIBITIONS.

American Art Galleries. MADISON SQUARE SOUTH, NEW YORK ON FREE VIEW

9 A. M.

Special Evening View, Monday Next, 8 to 10.

American Paintings and Water Colors By the late

Robert C. Minor, N. A., and the late C. M. McIllhenney, A. N. A.

To be sold at unrestricted Public Sale by order of Executors On Tuesday and Wednesday Evenings next, January 17th and 18th, at 8 o'clock.

An illustrated Catalogue of the R. C. Minor Collection Has Been Prepared and Will Be Sent on Application.

The sale will be conducted by THOMAS E. KIRBY, of the

AMERICAN ART ASSOCIATION, Managers 6 East 23d St., Madison Square South

Isaac V. Baker's Farm Selected for Sile

for New Insane Hospital. ALBANY, Jan. 11 .- The State Commission in Lunacy to-night announced that with Gov. Odell's approval it selected in December last Isaac V. Baker's farm of 950 acres. located in Comstock, Washington county, as the site for the proposed new hospital for the insane. The site was subject to certain legal questions which are now under consideration. An appropriation of \$50,000 was made to purchase the site. and Mr. Baker is to get \$42,500 for the

property. Frank B. Poor's Home Sold by Shcriff. HACKENSACK, N. J., Jan. 11.-The home of Frank B. Poor, formerly of Marquand & Co., was sold by Sheriff Moyer to-day for \$20,000. The Provident Savings Institution of Jersey City held a first mortgage of \$16,000, and there were two other incumbrances, making in all about \$25,000. The property consists of a fine mansion, a gymnasium with a swimming pool, stables and greenhouses. It cost \$60,000. aser, was Desmond Dunne, the ad-

vertising man. Court Calendars This Day.

calendar called at 10:30 A M. Part II.—Ex parter matters. Part III.—Clear. Motions. Demurrers.—Nos. 255, 656, 657, 658, 643, 644. Preferred cause.—Nos. 259, 10:30, 710, 1594, 447, 844, 13:55, 1448, 1005, 421, 1361, 1444, 1221, 1209, 1885, Part IV.—Case unfinished. Cases from Part III.—Part V.—Case unfinished. Cases from Part III.—Part VI.—Case unfinished. Cases from Part III.—No elevated railroad cases. Trial Term—Part II.—Clear. Inquest.—No. 2015. Short causes.—Nos. 2065. 3215. 3971, 3721. Part III.—Case unfinished.—Nos. 408, 447, 450, 460, 461, 464, 470, 481, 485, 190, 482, 489, 512, 517, 70, 9614, 501, 2111, 2113, 552. 673, 419, 72, 180, 182, 211, 69, 48, 387, 213, 221, 164, 183, 273. Part IV.—Case unfinished. Cases from Part III. Part VI.—Case unfinished. Cases from Part III. Part VII.—Case unfinished. Cases from Part III. Part VII.—Case unfinished. Cases from Part III. Part VII.—Case unfinished.—Nos. 627, 197, 207, 214, 2517, 165, 252, 238, 266, 297, 193, 383, 387. Part VIII.—Gase unfinished.—Nos. 627, 197, 207, 214, 2517, 165, 252, 238, 266, 297, 193, 383, 387. Part VIII.—Case unfinished.—Nos. 323, 337. Part VIII.—Part X.—Case unfinished.—Nos. 332, 3599, 137, 236, 3234, 464, 443, 1381, 1424, 2874, 1488, 783, 879, 305, 278, 273, 829, 240, 231, 611, 379, 1277, 328, 869, 804, 904, 403, 807, 972, 978, 1072. Part XII.—Adourned until Monday, Jan. 16, 1005.—Nutrogates Court.—Chambers—Court eperts at 10:300.A. M. For probate—Wills of Margaret B. Shea at 10 A. M.: Anna Sheeran. Maris Kunz. Part XII.—Clear. Cases from Part XII.—Part XII.—Adourned until Monday, Jan. 16, 1005.—Nutrogates Court.—Chambers—Court eperts at 10:300.A. M. For probate—Wills of Margaret B. Shea at 10 A. M.: Anna Sheeran. Maris Kunz. Part XII.—Adourned until Monday, Jan. 16, 1005.—Nutrogates Court.—Chambers—Court eperts at 10:300.A. M. For probate—Wills of Margaret B. Shea at 10 A. M.: Anna Sheeran. Maris Ku

Court of Appeals Calendar ALBANT, Jan. 11.—Court of Appeals calenda for to-morrow—Nos. 387, 77, 104, 108, 108, 107, 104 and 110.

For Purity

and general excellence nothing compares with



as a table water. Always the same. Sparkling and delicious. A great aid to digestion. Sold everywhere. Half-gallons, still; quarts, pints, and splits, sparking.